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Amendments to the Drawings

The attached sheet of drawings includes changes to Fig. 2. This sheet replaces the originally filed sheet. In Fig. 2, previously omitted element 200 has been added.

Attachment: One (1) replacement sheet

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### R E M A R K S

Reconsideration of the present application in view of the above amendments and the following remarks is respectfully requested. Claims 7 and 18 have been amended. Twenty-Seven claims are pending in the application: claims 1 through 27.

#### Allowable Subject Matter

1. At the outset Applicants would like to thank the Examiner for indicating that claims 9 and 19 are allowable if rewritten in independent form including the limitations of the base claims and any intervening claims.

At this time, Applicants have not amended these claims in order to pursue allowance of all of the pending claims.

#### Drawings

2. Figures 2 and 3 stand objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include reference signs mentioned in the description.

Regarding Fig. 2, Applicants have added missing reference numeral 200. Attached hereto is a replacement drawing sheet including reference numeral 200.

Regarding Fig. 3, Applicants have amended the paragraph beginning at page 12, line 1 to remove the reference numeral 312 and replace it with reference number 310 that is shown in originally filed Fig. 3. Thus, Applicants respectfully submit the objections are overcome.

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**35 U.S.C. ' 102**

3. Claims 1-7 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,411,607 (*Robert et al.*).

*Robert et al.* teach a satellite system for transmission of TCP/IP compatible packets from a head end computer through a satellite uplink, an extraterrestrial satellite, a satellite downlink, and an integrated satellite receiver/router for outputting of the TCP/IP compatible packets onto a computer Local Area Network or Wide Area Network (See *Robert et al.* Abstract). Figures 1 and 2 of *Robert et al.* show a satellite system including a single satellite 20. A client computer receives TCP/IP compatible packets from a Wide Area Network through the single satellite 20.

M.P.E.P. section 2131 states that "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference."

In contrast to the teachings of *Robert et al.*, Applicants' claim 1 recites "establishing multiple dynamic wireless linkages between a communications network based on an Internet protocol and a user terminal via a plurality of geo stationary satellites; and transferring datagrams conforming to the Internet protocol between the user terminal and the communications network over the multiple wireless linkages (underlining added)."

Thus, data is transferred between a single user terminal and a communications network over multiple dynamic wireless linkages through a plurality of geo-stationary satellites. *Robert et al.* only teaches data being sent to a user

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terminal through the single satellite 20 shown in Fig. 1. Therefore, Robert et al. does not teach each and every element of claim 1 as required by M.P.E.P. section 2131.

Similarly, amended independent claim 7 recites "a plurality of geo-stationary satellites...and a user terminal coupled to the plurality of geo-stationary satellites, wherein multiple dynamic wireless linkages are established between the communications network based on the Internet protocol." Robert et al. does not teach or suggest a user terminal that is coupled to a plurality of geo-stationary satellites. As described above, in Robert et al. a client computer receives data from the internet through a single satellite 20. Therefore, Robert et al. does not teach each and every element of claim 7 as required by M.P.E.P. section 2131.

Thus, Applicants respectfully submit the rejection of claims 1 and 7 is overcome. Furthermore, Applicants respectfully submit the rejection of dependent claims 2-6 is overcome at least for the same reasons as set forth herein regarding claim 1.

35 U.S.C. ' 103

4. Claims 8, 10-11, 18, and 20-21 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,411,607 (Robert et al.) in view of U.S. Patent No. 6,708,029 (Wesel).

Having overcome the rejection of claims 1-7 above, Applicants will address the current rejection in view of the pending independent claims 1, 7 and 18. As described above, Robert et al. discloses a satellite communication system for transmission of data to a user terminal through a single satellite.

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Wesel discloses a satellite based communication system including a plurality of satellites each having uplink and downlink antennas for transmitting and receiving a plurality of signals to and from a plurality of coverage areas. The system disclosed in Wesel includes satellites operating in different orbits in order to provide a large coverage area with maximum data rates in high density areas, such as for example, Los Angeles.

However, neither Robert et al. nor Wesel teach or suggest "establishing multiple dynamic wireless linkages between a communications network based on an Internet protocol and a user terminal via a plurality of geo stationary satellites; and transferring datagrams conforming to the Internet protocol between the user terminal and the communications network over the multiple wireless linkages (underlining added)," as claimed by Applicants. Specifically, a user terminal in Wesel only communicates through a single satellite within the system at one time.

In contrast, as described in Applicants' specification at page 6, lines 20-25 "[t]he combination of the multiple beam capability of the user terminals 110 and the data packet transport characteristics via multiple routes in the Internet 106 ensures uninterrupted communication between the user terminals 110 and information sources within the Internet 106." Further, as described starting at page 6, line 28 "[t]he connection of the wireless communications linkages 105 may change dynamically, depending on the traffic load and other conditions. The multiple links of the wireless communications linkages 105 provide graceful degradation. For example, in a single fixed physical connection [such as described in the references cited by the

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Examiner] data transfer is completely interrupted if the physical connection is broken. Often data is lost as well as time in the process of re-establishing the connection."

In Applicants claimed system "multiple dynamic wireless linkages" are established for a single user terminal and data packets are then transferred over the several wireless communication linkages concurrently. If one of the linkages is broken, only a small number of the data packets are lost, thus requiring retransmission of only a small number of packets. Neither Robert et al. nor Wesel teach or suggest such a system. Further, neither Robert et al. nor Wesel recognize the problem being solved by Applicants claimed invention.

M.P.E.P. section 2143 states that "[t]o establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations (emphasis added)."

As described above, the combination of Robert et al. and Wesel does not teach or suggest "establishing multiple dynamic wireless linkages between the user terminal and a communication network based upon an Internet protocol," as claimed by Applicants. Therefore, because neither Robert et al. nor Wesel individually or when combined teach or suggest all of the claim limitations of Applicants independent claims 1, 7 and 18, a *prima facie* case of obviousness has not been made by the Examiner. Therefore, Applicants respectfully submit that

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independent claims 1, 7 and 18 are in condition for allowance. Applicants also submit that claims 8, 10-11, and 20-21 are in condition for allowance at least because of their dependency upon an allowable independent claim.

5. Claims 12-14 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,411,607 (Robert et al.) in view of U.S. Patent No. 6,708,029 (Wesel) further in view of U.S. Patent No. 6,593,893 (Hou).

Claims 12-14 are dependent upon amended independent claim 7. As described above, claim 7 is not obvious in view of the combination of Robert et al. and Wesel. Further Applicants respectfully submit Hou does not teach or suggest the limitations of claim 7. Thus, the combination of Robert et al., Wesel and Hou does not form a prima facie case of obviousness with regard to independent claim 7. Therefore, Applicants respectfully submit that claims 12-14 are allowable at least because of their dependency upon allowable claim 7.

6. Claims 15-17 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,411,607 (Robert et al) in view of U.S. Patent No. 6,708,029 (Wesel) further in view of U.S. Patent No. 5,952,962 (Dybdal).

Claims 15-17 are dependent upon amended independent claim 7. As described above, claim 7 is not obvious in view of the combination of Robert et al. and Wesel. Further Applicants respectfully submit Dybdal does not teach or suggest the limitations of claim 7. Thus, the combination of Robert et al., Wesel and Dybdal does not form a prima facie case of obviousness with regard to independent claim 7. Therefore, Applicants

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respectfully submit that claims 15-17 are allowable at least because of their dependency upon allowable claim 7.

7. Claims 22-24 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,411,607 (Robert et al) in view of U.S. Patent No. 6,593,893 (Hou).

Claims 22-24 are dependent upon amended independent claim 18. As described above, claim 18 is not obvious in view of the combination of Robert et al. and Wesel. Further Applicants respectfully submit Hou does not teach or suggest the limitations of claim 18. Thus, the combination of Robert et al. and Hou does not form a prima facie case of obviousness with regard to independent claim 18. Therefore, Applicants respectfully submit that claims 22-24 are allowable at least because of their dependency upon allowable claim 18.

8. Claims 25-27 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,411,607 (Robert et al) in view of U.S. Patent No. 6,708,029 (Wesel) further in view of U.S. Patent No. 5,952,962 (Dybdal).

Claims 25-27 are dependent upon amended independent claim 18. As described above, claim 18 is not obvious in view of the combination of Robert et al. and Wesel. Further Applicants respectfully submit Dybdal does not teach or suggest the limitations of claim 18. Thus, the combination of Robert et al., Wesel and Dybdal does not form a prima facie case of obviousness with regard to independent claim 18. Therefore, Applicants respectfully submit that claims 25-27 are allowable at least because of their dependency upon allowable claim 18.

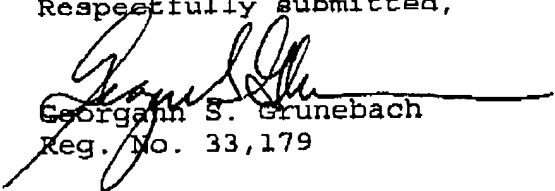


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C O N C L U S I O N

In view of the above, Applicants submit that the pending claims are in condition for allowance, and prompt and favorable action is earnestly solicited. Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain any outstanding issues that require adverse action, it is respectfully requested that the Examiner telephone the undersigned at (310) 964-4615 so that such issues may be resolved as expeditiously as possible.

Respectfully submitted,

  
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